

FILED

JAN 14 1976

MICHAEL RODAK, JR., CLERK

No. 75 - 823.....

IN THE
Supreme Court of the United States

October Term, 1975

RAYMOND BELCHER,
Petitioner,

v.

CASEY D. STENGEL, et al.,
Respondents.

**BRIEF OF RESPONDENTS OPPOSING PETITION FOR A WRIT
OF CERTIORARI TO THE UNITED STATES COURT
OF APPEALS FOR THE SIXTH CIRCUIT**

**John H. Lewis
3316 North High Street
Columbus, Ohio 43202
Attorney for Respondents**

BRIEF OF RESPONDENTS OPPOSING PETITION
FOR WRIT OF CERTIORARI

The question which petitioner is trying to present as shown on his page two is not in fact or by any reasonable inference related to the record in the lower courts. A reading of the summary of the case shown in parts of the opinion of the United States Court of Appeals for the Sixth Circuit printed on page 23 through 26 of the petition establishes that the alleged question is not present here.

The direct testimony of the petitioner repeated twice in the petition first at pages 6 and 7 and then at pages 66 through 68 in the petition is an attempt to grossly distort this case to this Court because in the Court of Appeals opinion (page 25 of the petition) in a footnote that Court said "Belcher was impeached on this point by his prior inconsistent statement".

By repeating this impeached version at the beginning and near the end of 69 printed pages

petitioner would lead this court to believe that there is a question in this case as they are claiming on page two.

Respondent believes that the unanimous opinion of the Court of Appeals accurately summarizes the record of this case and that important issues which would justify this Court's consideration are not actually present. At this late date petitioner should not be permitted to manufacture a distorted case that might at first blush seem to have important issues.

Respectfully submitted,

John H. Lewis
3316 North High Street
Columbus, Ohio 43202
Attorney for Respondents